

NOV-26-2003 15:04

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DATE: November 26, 2003

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| To: Vanessa Barber | From: Martin A. Bruehs |
| Voice Tel. No.: 703-305-6361 | Voice Tel. No.: 703-838-6636 |
| Fax Tel. No.: 703-872-9306 | Sent By: a.graham |
| Your Ref.: | Our Ref.: 022701-892 |
| | Total Pages (Incl. Cover Page): 10 |

RE: U.S. Application Serial No. 09/701,142

MESSAGE:

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(BDSM 8/00)

PAGE 1/10 * RCVD AT 11/26/2003 2:28:52 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/8 * DNIS:8729306 * CSID:7038362021 * DURATION (mm-ss):02:18

Patent
Attorney's Docket No. 022701-892

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Catherine HEDOUIN et al.)

Application No.: 09/701,142)

Filed: June 27, 2001)

For: ZINC ALUMINATE WITH HIGH)
SPECIFIC SURFACE AREA,)
PREPARATION METHOD AND USE)
FOR TREATING MOTOR VEHICLE)
EXHAUST GASES)

Group Art Unit: 1754

Examiner: William G. Wright

Confirmation No. 7739

NOV 26 2003
OFFICIAL

RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT (37 C.F.R. §1.121)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment (37 C.F.R. §1.121), attached please find the corrected section (Listing of Claims), pages 1-6 of the Amendment Pursuant to 37 C.F.R. §1.111 filed on August 19, 2003. As required, Claims 12 has been included in the Listing of Claims. A copy of the Notice of Non-Compliant Amendment is enclosed for the Examiner's convenience.

Application No. 09/701,142
Attorney's Docket No. 022701-892
Page 2

The Director is hereby authorized to charge any appropriate fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

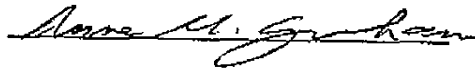
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Date: November 26, 2003

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached correspondence consisting of 9 pages regarding the above-identified application, is being transmitted via facsimile to Vanessa Barber at fax number (703) 872-9306 at the U.S. Patent and Trademark Office on November 26, 2003.





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 8/19/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: claim 12 is missing

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/vcb/offices/pac/dapp/ola/prconnotice/officflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an **RCE**), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

[Signature]
Legal Instruments Examiner (LIE)

7/305-6361
Telephone No.

Rev. 10/03